

Art Unit:
Serial No:

To be assigned
U.S. National Phase of PCT/EP/03955

20. (New) The film composite of claim 13, further comprising a middle layer positioned between the upper layer and the lower layer.

21. (New) The film composite of claim 15, wherein the base of the fold divides the surface into a first region and a second region, the first region having a surface area of between 40 percent and less than 50 percent of the surface area of the upper layer.

22. (New) A sealing disc for a container closure for use on a container with an opening bounded by a peripheral edge, comprising:

an upper layer and a lower layer, each layer extending at least to the peripheral edge of the opening; and

an adhesive layer between the upper layer and the lower layer, the adhesive layer extending at least to the peripheral edge of the upper and lower layers;

wherein the upper layer includes a surface having a surface area, and an engagement device projects upwardly from the surface. -

REMARKS

By present amendment, claims 1-12 were amended solely to place the claims in U.S. format, to use idiomatic English, and to eliminate any multiple dependencies. In addition, claims 13 - 22 were added, with claims 13 and 22 being independent. No new matter has been added.

After entry of this Amendment, claims 1 - 22 will be pending in the application, with claims 1, 12, 13, and 22 being independent.

Art Unit:
Serial No:

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U.S. National Phase of PCT/EP/03955

Compliance with 37 C.F.R. § 1.125

A substitute specification, excluding claims, under 37 C.F.R. § 1.125(b) is submitted herewith. Applicants state that all amendments to the specification have been made solely to place the specification in U.S. format, including inserting headings and subheadings, correcting spelling, using idiomatic English, and clarifying terms throughout the specification. In accordance with 37 C.F.R. § 1.125(b)(1), Applicants state that the substitute specification does not contain new matter. In accordance with 37 C.F.R. § 1.125(b)(2), Applicants also enclose a marked up copy of the substitute specification showing all the changes to the specification of record.

Applicants state that in view of the amendments and remarks contained herein, the application is in condition for allowance, and a notice to that effect is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicants respectfully submit that all of the claims pending in the above-identified application are in condition for allowance, and a notice to that effect is earnestly solicited.

If the present application is found by the Examiner not to be in condition for allowance, then the Applicants hereby request a telephone or personal interview to facilitate the resolution of any remaining matters. Applicants' attorney may be contacted by telephone at the number indicated below to schedule such an interview.

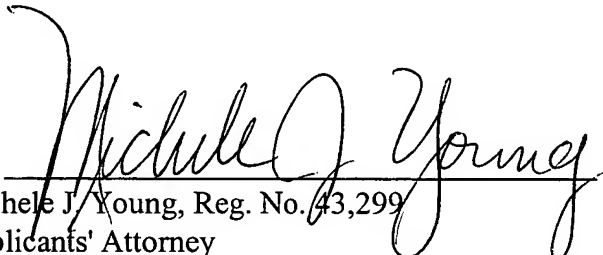
Art Unit:
Serial No:

To be assigned
U.S. National Phase of PCT/EP/03955

The U.S. Patent and Trademark Office is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our deposit account #19-0120.

Respectfully submitted,
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Art Unit:
Serial No:

To be assigned
U.S. National Phase of PCT/EP/03955

Version with marking to show changes to claims

1. (Amended Once) A [F]film composite for a container closure for use on a container [(10)] with an opening [(11)] bounded by a peripheral edge, wherein the film composite [(30)] consists of a plurality of layers and between the upper-most layer [(33)] and the layer [(31)] beneath it there is arranged an adhesive layer [(32)] at least over a joining surface, [characterised in that] wherein the upper-most layer [(33)] of the film composite [(30)] comprises an upwardly projecting fold [(40)].
2. (Amended Once) The [F]film composite [according to] of claim 1, [characterised in that] wherein the film composite [(30)] consists of] includes [at least three layers (31, 33, 34), of which the bottom-most layer (34) is a sealing layer, the middle layer (31) is a layer producing the induction heat and the upper-most layer (33) is the layer facing the user] a sealing layer, a middle layer, and a facing layer.
3. (Amended Once) The [F]film composite [according to] of claim 1[or 2], [characterised in that] wherein the fold [(40)] is arranged [off-centre] off-center.
4. (Amended Once) The [F]film composite [according to] of claim 3, [characterised in that] wherein the fold [(40)] is so arranged that it] divides the surface of the opening [(11)] of the container [(10)] into two areas, the smaller of which makes up between 40 percent and less than 50[%] percent of the surface.
5. (Amended Once) The [F]film composite [according to one of the preceding claims] of claim 1, [characterised in that] wherein the fold [(40)] possesses] includes a fold bottom [(41)] which forms

Art Unit:
Serial No:

To be assigned
U.S. National Phase of PCT/EP/03955

a straight line that passes diagonally through the entire area of the film composite zone arranged on the opening [(41)].

6. (Amended Once) The [F]film composite [according to one of the preceding claims] of claim 1, [characterised in that] wherein the fold [(40)] possesses over its entire length] has a constant height from the fold bottom [(44)] to the fold tip [(42)].

7. (Amended Once) The [F]film composite [according to one of the preceding claims] of claim 1, [characterised in that] wherein the fold [(40)] extends roughly 0.5 to 2 cm from the fold bottom [(41)] to the fold tip (42).

8. (Amended Once) The [F]film composite [according to] of claim 7, [characterised in that] wherein the fold [(40)] extends roughly 1 to 1.5 cm from the fold bottom [(41)] to the fold tip [(42)].

9. (Amended Once) The [F]film composite [according to one of the preceding claims] of claim 1, [characterised in that] wherein the upper layer [(33)] forming the fold [(40)] is provided with the adhesive layer [(32)] in such a way that the adhesive layer [(32)] also covers the surface area forming the fold [(40)].

10. (Amended Once) The [F]film composite [according to] of claim 9, [characterised in that] wherein the adhesive layer [(32)] covers the whole area of the under side of the upper layer [(33)] of the film composite [(30)].

Art Unit:
Serial No:

To be assigned
U.S. National Phase of PCT/EP/03955

11. (Amended Once) The [F]film composite [according to one of the preceding claims] of claim 1, [characterised in that] wherein the [overall area of the] film composite [(30)] is slightly greater than the opening [(11) to be covered including] extends beyond the peripheral edge [(12)].

12. (Amended Once) A [S]sealing disc for a container closure for use on a container with an opening bounded by a peripheral edge, [characterised in that] the lower areas of the sealing disc [(20)] comprise a film composite [(30) according to one of the preceding claims], comprising a plurality of layers and between the upper-most layer and the layer beneath it there is arranged an adhesive layer at least over a joining surface, wherein the upper-most layer of the film composite comprises an upwardly projecting fold.

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1 ~~Sealing disc and film composite for a closure of a container~~

2
3 The invention relates to a sealing disc and a film composite

4 SEALING DISC AND FILM COMPOSITE FOR A CLOSURE OF A
5 CONTAINER

6
7 BACKGROUND

8
9 1.0 Field of the Disclosure

10 ~~The present disclosure is directed to a cap for a container closure, for use~~
11 ~~on a container with an opening bounded by a peripheral edge, wherein the film~~
12 ~~composite consists of a plurality of layers, and between the upper layer and the~~
13 ~~layer lying beneath it there is arranged an adhesive layer at least over a joining~~
14 ~~surface.~~

15 -
16 ~~and, in particular, to a cap with a sealing disc~~

17
18 2.0 Related Art

19 On the closure of a container it is frequently desirable, or even necessary,
20 to provide the container mouth with a disc-shaped closure which seals off the
21 contents, -for example, liquids or else substances such as foodstuffs.

22
23 There are several reasons why ~~said~~the sealing off is required. On the one
24 hand, the contents are to be protected against outside influences, for example,
25 against water vapour or oxygen, ~~o~~. On the other they are also to remain aroma-
26 tight. There is a further reason in the case of aggressive contents, for which ~~as~~
27 ~~optimum~~a leakage protection as possible must be provided~~optimized~~. Finally,
28 an originality protection for the trade ~~may~~also ~~may~~ be provided by such a sealing

1 off, ~~since~~because a user is able to recognize immediately whether someone has
2 already handled the container contents beforehand.

3
4 In addition, the container closure is then also sealed with a screw cap or
5 a similar element, which ensures a mechanical and stable sealing outside the film.
6 On initial use the user destroys the film in order to obtain access to the contents
7 of the container ~~and~~. The user may then closes the container afterwards (unless
8 he has already removed the entire contents) with the screw closure, -which may
9 provide a temporary seal for the opened contents for a suitably short period of
10 time.

11
12 The film that seals the container contents is frequently applied by ~~means~~
13 ~~of induction sealing~~. A complete sealing disc is put on for this purpose, ~~whose~~
14 ~~bottom-most~~having a bottom layer ~~that~~ forms the sealing layer. Above it~~the~~
15 sealing layer lies a second layer ~~consisting as a rule of~~, generally aluminium,
16 which serves for the generation and transmission of heat during the induction
17 process and optionally forms an additional -mechanical protection. The second
18 layer is firmly connected to the first ~~one~~ firmly layer and in particular favourably
19 for the transmission of heat. Above said the second, aluminium layer ~~are then~~
20 ~~provided also~~ further components of the sealing disc, which remain in the cap after
21 the opening of the screw or other rotating closure.

22
23 The removal of the film is irksome for the user in certain circumstances:
24 He, which may requires a tool ~~for this~~, for example, a knife or a pair of scissors;
25 ~~which~~. Use of a tool leads to the risk that parts of the film will thereby fall into
26 the container contents. In addition, a suitable tool is not always ~~to~~at hand. ~~There~~
27 ~~are also already~~ Screw closures whose already exist with an outside ~~is~~ so formed
28 that when used the other way round they permit a partial cutting or tearing of the
29 film here. This makes the screw cap more expensive, and it is also necessary to

1 give the user suitable instructions on the method,- so that he may carry out the
2 opening correctly.

3
4 It has also already been proposed as an alternative, for example in EP 0
5 697 345 A2, that the sealing disc, or at least the film composite, be provided at
6 its edge with suitable projections or tabs, which the user may grasp, thus allowing
7 ~~him~~~~the user~~, supported in this way, to easily remove the sealed-on film. ~~Said~~~~The~~
8 extremely ~~practicable~~~~practical~~ construction may not be used in every case,
9 however, ~~since~~~~said~~~~because the~~ projecting tabs must, after the positioning of the
10 screw cap, be able to be arranged between the screw thread and the outside of the
11 container opening, a fact which may lead to geometrical difficulties. It is also
12 problematical if, for example, the upper parts of the sealing disc must not exhibit
13 any lugs, because this prevents their retention in the screw cap part. Two separate
14 punching operations would then have to be provided for the film composite and
15 the upper parts of the sealing disc, which leads to further costs.

16
17 It has therefore been proposed in EP 0 395 660 B1 and EP 0 534 949 B1
18 that the sealed-on film composite be constructed of two layers that are bonded to
19 one another over roughly half of their area, while the other half remains free. This
20 results in ~~easy detachment~~ of the half of the upper layer that is not bonded ~~being~~
21 ~~able to be detached easily~~, - whereas the other area remains connected during
22 ~~said~~~~the~~ detachment. If such a two-layered, partially bonded film composite is
23 used on the container, the user simply has to grasp ~~said~~~~the~~ admittedly flatly
24 positioned but easily detachable half of the upper layer, and is then able to remove
25 the whole of the film composite by exerting a suitable force.

26
27 This rather striking idea nevertheless has some drawbacks. A mass market
28 product is naturally involved, in which cost considerations play a very great role.
29 A process must therefore be found in which two layers may be connected to one

1 another in such a way that -they are only partially bonded.¶ This can be brought
2 about by a relatively laborious strip-wise lamination.

3
4 A further drawback ~~consists in the fact that because of~~ is due to the partially
5 open upper layer, ~~which causes~~ problems arise during the filling and closing of the
6 containers. ¶ If the screw closure is- applied with rotation, the latter has a tendency
7 to attack the film by friction. ¶ As the upper layer is supported loosely in part,- it
8 is on some occasions also pulled slightly here, which may lead immediately to
9 uncontrolled creasing and also to buckling and to destruction. ¶ In the container
10 filling industry, however, even minimal wastage rates are extremely undesirable
11 ~~because, since as a rule,~~ the whole container then has to be rejected or may lead
12 to complaints.

13
14 The object of the ~~invention~~ present disclosure is therefore ~~to propose a~~
15 sealing disc and a sealing film for a container closure which also leads to an easy
16 opening of the film for the user, but at the same time is also convenient and
17 reliable in manufacture and does not require additional punching operations.

18
19 Said

20 SUMMARY

21 ~~The~~ object is achieved in the case of a film composite by the fact that the
22 upper-most of the layers of the film composite ~~comprises~~ includes an upwardly
23 projecting fold.

24
25 There may be exploited first of all with such a fold all the advantages that
26 are also exhibited by ideas, for example, from EP 0 395 660 B1 or EP 0 534 494
27 B1. ¶ It is not necessary to cut open the film composite or to provide tabs projecting
28 over the edge. ¶ In the case of a positioned screw cap, the fold naturally lies flat on
29 the top side of the remaining film composite. ~~It~~ The fold is not bonded with the

1 latter, however, ~~since~~because the outside of the upper layer is here supported on
2 another area of the outside of the upper layer.

3
4 The user ~~now may~~ simply grasps ~~said~~ the fold, raises it and then removes
5 the entire film composite along with ~~it~~ the fold. In so doing ~~he~~, the user will ~~as a~~
6 rule grip one end of the fold and be able ~~at said point~~ to pull the film easily
7 upward vertically, whereby a "rolling away" of the remaining edge is then
8 obtained.

9
10 Conversely, the drawbacks from the aforementioned prior art are
11 advantageously not encountered. ~~The~~ The outer edge of the film composite
12 consists ~~includes~~, in fact, ~~of~~ the same, identical formation the whole way round:
13 both the upper and the lower layers are present everywhere ~~present~~. ~~Thus~~, there
14 is therefore no tendency to buckling or creasing.

15
16 The flatly positioned fold represents, in contrast to the prior art, additional
17 material and is therefore relatively insensitive. ~~Without an~~ additional punching
18 operation it does not project, even in the flat lying state, completely up to the edge
19 side, but ends before the latter.

20
21 Particularly preferably, the fold is so arranged that it lies ~~off-centre~~ off-
22 center. As a result, it will have a tendency to tilt in one direction, without its
23 raising being affected disadvantageously in any way.

24
25 In order to simplify the gripping area and the tearing open, the fold should
26 however remain relatively adjacent to the ~~centre~~ center, so that a division of the
27 overall surface is preferred such that the smaller area occupies a zone of 40% to
28 below ~~50%~~ 50% of the total area.

29

1 It has proved to be particularly practical for the grasping if the fold exhibits
2 a spacing of between 0.5 and 2 cm, in particular between 1 and 1.5 cm, between
3 the fold bottom directly on the sealing film and the fold tip.

4
5 It is also preferable if the adhesive layer is provided at any rate in the area
6 of the upper layer that forms the fold. In this way there will be formed in said the
7 zone a contacting of adhesive layer to adhesive layer within the fold, which
8 increases and improves the stability and firm bonding of the latter enormously;
9 which This has a corresponding effect on the -tearing- and tensile strength and
10 also prevents the fold from bulging or swelling in a roughly oval shape due to
11 external effects.

12
13 It is particularly preferable, finally, if the adhesive layer occupies the
14 whole area of the upper layer. This is of advantage in production engineering
15 terms; the stripwise lamination known from the prior art, with partial provision
16 and partial omission of an adhesive layer, is especially complicated, in fact, and
17 the full area bonding furthermore also improves the stability and the adhesion of
18 the entire film composite.

19
20 Further Furthermore, it is advantageous if the whole area of the sealing film is
21 slightly greater than the opening to be covered, including the peripheral edge.—

22
23 This very slightly projecting amount of material makes it easier to pull the
24 edge upwards-ly when grasping the fold. A quite small edge area is created, in
25 fact, which is not be grasped from behind, but which during the raising of the fold
26 is on the peripheral edge of the opening of the container without direct adhesion,
27 and thus favourably influences the tearing process. Said The projecting edge is on
28 the other hand of such small proportions that it is significantly smaller than, say for

~~example~~, the tabs from EP 0 697 345 A2₂ and in no circumstances comes into contact with the screw cap.

The ~~foregoing~~ object is achieved in the case of a sealing disc by the fact that the lower layers of the sealing disc ~~comprise~~~~include~~ the film composite according to one of the above combinations of features.

Such a sealing disc possesses all the above-mentioned advantages. ~~It is~~ perfectly possible to incorporate the -layer forming the fold, together with ~~said the~~ fold, ~~straightaway~~~~immediately~~ in the production of the sealing disc, and then to use the complete component in this way in the packaging industry.

BRIEF DESCRIPTION OF THE DRAWINGS

An embodiment of the ~~invention~~~~disclosure~~ will be described in detail below with reference to the drawings, in which:

Figure ~~FIG. 1~~ shows a diagrammatic perspective view of a container with a first form of execution of the sealing film;₂

Figure ~~FIG. 2~~ ~~is~~ a diagrammatic section through the sealing film from Figure ~~FIG. 1~~₂ and

Figure ~~FIG. 3~~ ~~is~~ a diagrammatic section through a sealing disc with a sealing film of corresponding form of execution from Figure ~~FIG. 2~~.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

A container 10 is filled, for example, with foodstuffs or agrochemicals or other oxygen-sensitive goods, in particular with liquid. It possesses ~~Container 10~~

1 ~~includes~~ an opening 11 from which the contents are to be removed at a given time.

2 ~~The~~ opening 11 is surrounded by a peripheral edge 12.

3
4 ~~The opening~~ Opening 11 is sealed by a film composite 30. ~~Above the film~~
5 composite 30 is also located a screw cap (not shown), with which, even if the film
6 composite 30 is destroyed, the container may be sealed at least temporarily. ~~The~~
7 screw cap also serves to protect the film composite 30 against mechanical
8 influences from outside.

9
10 ~~The film~~ Film composite 30 ~~possesses~~includes in particular three film layers
11 and two adhesive layers. ~~This is clearly distinguishable, as shown in Figure FIG.~~
12 2. ~~The~~ A first or bottom-most layer 34 is in the sealed-on state fixed exactly on
13 the peripheral edge 12 of the container 10. ~~On the first or bottom-most layer 34~~
14 is arranged an adhesive layer 35, which connects ~~said~~ first layer 34 firmly to a
15 second layer 31. ~~The s~~ Second layer 31 is an induction film, in particular of
16 aluminium. ~~If it~~ second layer 31 is heated by induction, ~~said~~ the heat is transferred
17 to the bottom-most first layer 34 and, thus seals the latter firmly on the edge 12.
18 ~~On said second layer 31, the induction film, is provided a~~ sealing layer 34 firmly
19 on edge 12.

20
21 A further adhesive layer 32. It is provided on the second layer 31, which
22 is the induction film. Second adhesive layer 32 continuously connects ~~said~~ layer
23 31 to upper-most layer 33 continuously.

24
25 ~~The layer~~ Layer 33 ~~comprises~~includes a fold 40. ~~The~~ Layer 33 is planar
26 outside the area of the fold 40 and ~~is~~ connected to the underlying layer 31
27 continuously by the adhesive layer 32. ~~In the area of the fold 40,~~ the whole of the
28 layer 33 is laid double starting from the fold bottom 41 and extends like this up
29 to the fold tip 42, and from there back again to the fold bottom 41. ~~Between~~

1 ~~said the~~ two doubly laid material components of the upper layer 33 is also located
 2 the adhesive layer 32, and preferably likewise two-fold. This can be brought
 3 about at the manufacturing stage by the upper layer 33 being coated with the
 4 adhesive layer 32 over its whole surface while still in the unfolded state, and then
 5 during the line manufacture being bent onto the layer 31 of the induction film with
 6 the addition of ~~said the~~ fold. ~~The~~ us fold 40 is ~~thus~~ particularly stable, and because
 7 of the dual adhesion, also bonded particularly firmly into itself. It may
 8 nevertheless have a light and filigree effect, for example, because of the fact that
 9 the whole of the layer 33 is made of a transparent material.

10
 11 ~~The fold~~ Fold 40 extends diagonally across the film at right angles to the
 12 drawing plane. The distance between fold bottom 41 and fold tip 42 is constant
 13 here, optionally with bevels or curves in the edge area. The fold tip therefore
 14 forms a substantially straight line.

15
 16 The effect that the whole of this has can be seen in ~~Figure~~ FIG 1. The
 17 whole of the container mouth or opening 11 of the container 10, which mouth or
 18 opening 11 is covered by the film composite 30, is at the same time provided just
 19 ~~off-centre~~ off-center with the fold 40, which rises upward from the fold bottom 41
 20 lying exactly in the plane of the opening 11 of the container 10. ~~The~~ f Fold 40 is
 21 shown slightly inclined, the reason for which is that it lies completely flat in the
 22 packed state, occupies little space in this way, and also offers no opportunity for
 23 gripping by the screw cap during the screwing on.

24
 25 ~~Figure~~ FIG 3 shows diagrammatically a complete sealing disc 20, of which the
 26 film composite 30 with its three film and two adhesive layers 31, 32, 33, 34 and
 27 35 together with fold 40, forms the bottom-most part.

28
 29 The upper portion may be a polyamide layer or another polymer.

1 Use is possible for all containers, glass, PET, PAC, PP, PVC. The sealing
2 layer beneath the ~~aluminum~~ induction film layer 31 consisting of aluminium [is] is
3 adapted to any material of the container.

4
5 The end consumer is provided with an outstanding quality, a construction
6 that can be opened easily by means of the projecting fold, which also opens
7 reliably and does not tear.

8
9 The filler or packaging manufacturer is presented with the advantage that
10 such a sealing film or such a sealing disc may be used particularly reliably without
11 problems during the charging operation having to be anticipated.

12
13 The manufacturer of the sealing film is presented with the advantage that
14 he longer has to carry out strip lamination, but- is concerned exclusively with
15 materials covering a whole area.

16
17 The fold 40 is not formed until the punching stage. A suitable tool of a
18 punching tool is set so that- the whole-area material arrives suitably folded.

19

1 **List of reference symbols**

2

3 10——container

4 11——opening

5 12——edge of the opening

6

7 20——scaling disc

8

9 30——film composite

10 31——second layer, induction film layer

11 32——second adhesive layer

12 33——upper-most layer

13 34——bottom-most layer, sealing layer

14 35——first adhesive layer

15

16 40——fold

17 41——fold bottom

18 42——fold tip

19

1 **Claims**

2

3 1. — Film

4 What is claimed is:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

~~characterised in that~~
~~the upper-most layer (33) of the film composite (30) comprises an upwardly~~
~~projecting fold (40).~~

characterised in that

~~the film composite (30) consists of at least three layers (31, 33, 34), of which the bottom-most layer (34) is a sealing layer, the middle layer (31) is a layer producing the induction heat and the upper-most layer (33) is the layer facing the user.~~

~~characterised in that~~
~~the fold (40) is arranged off-centre.~~

~~the fold (40) is so arranged that it divides the surface of the opening (11) of the container (10) into two areas, the smaller of which makes up between 40 and less than 50% of the surface.~~

1 5. — Film composite according to one of the preceding claims;
2 **characterised in that**
3 the fold (40) possesses a fold bottom (41) which forms a straight line that passes
4 diagonally through the entire area of the film composite zone arranged on the
5 opening (41).

6
7 6. — Film composite according to one of the preceding claims;
8 **characterised in that**
9 the fold (40) possesses over its entire length a constant height from the fold
10 bottom (44) to the fold tip (42).

11
12 7. — Film composite according to one of the preceding claims;
13 **characterised in that**
14 the fold (40) extends roughly 0.5 to 2 cm from the fold bottom (41) to the fold tip
15 (42). —

16
17 8. — Film composite according to claim 7;
18 **characterised in that**
19 the fold (40) extends roughly 1 to 1.5 cm from the fold bottom (41) to the fold tip
20 (42).

21
22 9. — Film composite according to one of the preceding claims;
23 **characterised in that**
24 the upper layer (33) forming the fold (40) is provided with the adhesive layer (32)
25 in such a way that the adhesive layer (32) also covers the surface area forming the
26 fold (40).

27
28 10. — Film composite according to claim 9;
29 **characterised in that**

1 the adhesive layer (32) covers the whole area of the under side of the upper layer
2 (33) of the film composite (30).

3 11. — Film composite according to one of the preceding claims;

4 **characterised in that**

5 the overall area of the film composite (30) is slightly greater than the opening (11)
6 to be covered including the peripheral edge (12).

7 12. — Sealing disc for a container closure is provided for use on a container with
8 an opening bounded by a peripheral edge;

9 **characterised in that**

10 the lower areas of the sealing disc (20) comprise a the film composite (30)
11 according to one of the preceding claims.

12 includes a plurality of layers. An adhesive layer is arranged at least over a joining
13 surface between the upper layer and the underlying layer.